

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WELLS FARGO BANK, NATIONAL
ASSOCIATION, successor in interest to BMO
HARRIS BANK, N.A., f/k/a HARRIS, N.A.,

Plaintiff,

v.

EDUARDO RODRIGUEZ; EVELIA
RODRIGUEZ; SAN JOSE IMPORTS, LTD.;
INVESCO MEX CORPORATION,

Defendants.

No. 14-cv-278

Honorable Virginia M. Kendall

**MOTION TO ENTER AGREED JUDGMENT OF FORECLOSURE
AND ORDER OF SALE ON COUNTS I AND II OF THE COMPLAINT**

Plaintiff Wells Fargo Bank, National Association, (the “Plaintiff” or the “Bank”), by its attorney Lauren Newman of Thompson Coburn LLP, moves this Court to enter an Agreed Judgment of Foreclosure and Order of Sale on Counts I and II of the Complaint, to foreclose two mortgages on commercial real property as commonly known as 6639-6643 S. Pulaski, Chicago, Illinois (hereinafter, the “Pulaski Property”), which is the subject matter of the current mortgage foreclosure proceedings, and in support of its Motion, Plaintiff states as follows:

1. On January 1, 2014, Plaintiff filed this mortgage foreclosure action seeking to foreclose two mortgages granted to Plaintiff by Defendants Eduardo Rodriguez and Evelia Rodriguez (“Defendants”) encumbering the Pulaski Property, as well as for breach of promissory notes and commercial guaranties. A copy of the Complaint to Foreclose Mortgages, for Breach of Contract and for Other Relief (the “Complaint”) is at Docket No. 1.

2. On May 1, 2014, this Court entered an Order appointing the Receiver. Docket No. 23. The Receiver is currently managing the Pulaski Property.

3. On September 30, 2014, Plaintiff filed a Motion for Summary Judgment, along with a Memorandum and Rule 56 Statement. Defendants filed a response and Plaintiff filed its reply on November 25, 2014. This Court has yet to rule on the Motion for Summary Judgment.

4. On January 9, 2015, the Plaintiff and the Defendants entered into a Settlement Agreement (the "Settlement"). The Settlement provided that the Defendants would have sixty (60) days to attempt to sell the Pulaski Property. In the event Defendants were unable to sell the Pulaski Property, Defendants agreed to allow Plaintiff to complete its foreclosure of the two mortgages. As part of the Settlement, Defendants entered into an Agreed Judgment of Foreclosure and Order of Sale (the "Judgment"). A true and correct copy of the Judgment is attached hereto as Exhibit A.

5. More than sixty days have passed and Defendants have been unable to sell the Pulaski Property. Therefore, Plaintiff is requesting that this Court enter the attached Judgment and that Plaintiff be permitted to complete its foreclosure of the Pulaski Property.

WHEREFORE, Plaintiff Wells Fargo Bank, National Association, prays that this Court enter the Agreed Judgment of Foreclosure and Order of Sale, set this case for status in about sixty (60) days when the sale should have been completed, or such other and further relief this Court deems just and proper.

Respectfully submitted,

Dated: March 11, 2015

WELLS FARGO BANK, NATIONAL
ASSOCIATION, Plaintiff and Movant,

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